

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FOREST CREEK, LLC	)	
	)	
COMPLAINANT	)	
V.	)	CASE NO.
	)	2011-00297
JESSAMINE-SOUTH ELKHORN WATER	)	
DISTRICT	)	
	)	
DEFENDANT	)	

ORDER

On May 15, 2015, Forest Creek, LLC ("Forest Creek") and Jessamine-South Elkhorn Water District ("JSEWD") jointly filed a motion to dismiss, with prejudice, the complaint filed by Forest Creek on August 5, 2011. The parties attached a copy of the Settlement Agreement and Release to the May 15, 2015 motion, but failed to include copies of the exhibits to the Settlement Agreement and Release.

To ensure that the parties entered into the Settlement Agreement and Release voluntarily, the Commission requires that certain information be provided.

Attached as Appendix A to this Order are questions to which the counsel for Forest Creek should respond. Attached as Appendix B to this Order are questions to which the counsel for JSEWD should respond.

Having reviewed the parties' joint motion, the Commission finds that:

1. The parties should jointly file six copies of the exhibits to the Settlement Agreement and Release.

2. Counsel for Forest Creek should respond to the questions in Appendix A to this Order.

3. Counsel for JSEWD should respond to the questions in Appendix B to this Order.

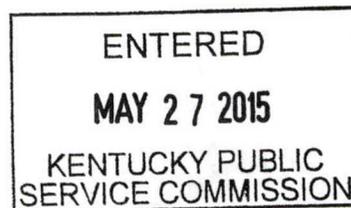
IT IS THEREFORE ORDERED that:

1. Within seven days of entry of this Order, the parties shall jointly file six copies of the exhibits to the Settlement Agreement and Release.

2. Within seven days of entry of this Order, Counsel for Forest Creek shall respond to the questions in Appendix A to this Order.

3. Within seven days of entry of this Order, Counsel for JSEWD should respond to the questions in Appendix B to this Order.

By the Commission



ATTEST:

  
\_\_\_\_\_  
Executive Director

## APPENDIX A

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2011-00297 DATED **MAY 27 2015**

1. Was Forest Creek aware of, and have an opportunity to participate in, all of the negotiations that resulted in the Settlement Agreement and Release?
2. Did Forest Creek sign the Settlement Agreement and Release and fully support each and every provision contained therein?
3. Are there any provisions in the Settlement Agreement and Release that Forest Creek does not understand, or that Forest Creek objects to or takes issue with?
4. Were any considerations of any kind offered, or were any promises made, other than what is expressly set forth in the Settlement Agreement and Release, to induce Forest Creek to negotiate and sign the Settlement Agreement and Release?
5. Are you aware of any reason why the Commission should not adopt and approve the Settlement Agreement and Release in its entirety?

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2011-00297 DATED **MAY 27 2015**

1. Was JSEWD aware of, and have an opportunity to participate in, all of the negotiations that resulted in the Settlement Agreement and Release?
2. Did JSEWD sign the Settlement Agreement and Release and fully support each and every provision contained therein?
3. Are there any provisions in the Settlement Agreement and Release that JSEWD does not understand, or that JSEWD objects to or takes issue with?
4. Were any considerations of any kind offered, or were any promises made, other than what is expressly set forth in the Settlement Agreement and Release, to induce JSEWD to negotiate and sign the Settlement Agreement and Release?
5. Are you aware of any reason why the Commission should not adopt and approve the Settlement Agreement and Release in its entirety?

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